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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------|---------------------------|----------------------|---|------------------|
| 10/611,799 | 06/30/2003 | Nigel S. Keam | MS1-1589US | 5078 |
| 22801 LEE & HAYES | 7590 11/24/200 S, PLLC | 9 | MS1-1589US 5078 EXAMINER HALL, ARTHUR O ART UNIT PAPER NUMBE 3714 NOTIFICATION DATE DELIVERY MOI | IINER |
| 601 W. RIVERSIDE AVENUE | | | HALL, ARTHUR O | |
| SUITE 1400 SPOKANE, WA 99201 | | ART UNIT | PAPER NUMBER | |
| | | | 3714 | |
| | | | | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 11/24/2009 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

| | Application No. | Applicant(s) | |
|---|---|------------------------------------|--------------|
| Examiner-Initiated Interview Summary | 10/611,799 | KEAM ET AL. | |
| Examiner initiated interview duminary | Examiner | Art Unit | |
| | ARTHUR O. HALL | 3714 | |
| All Participants: | Status of Application: | <u> </u> | |
| (1) <u>ARTHUR O. HALL</u> . | (3) | | |
| (2) <u>Bea Koempel-Thomas</u> . | (4) | | |
| Date of Interview: <u>13 November 2009</u> | Time: <u>5:00 pm</u> | | |
| Type of Interview: ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant ☐ Applic Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description: . | ant's representative) | | |
| Part I. | | | |
| Rejection(s) discussed: 35 USC 103(a) | | | |
| Claims discussed: 1, 23, 31 | | | |
| Prior art documents discussed: n/a | | | |
| Part II. SUBSTANCE OF INTERVIEW DESCRIBING THE GENE See Continuation Sheet | ERAL NATURE OF WHAT WAS | S DISCUSSED: | |
| Part III. | | | |
| It is not necessary for applicant to provide a separate directly resulted in the allowance of the application. The of the interview in the Notice of Allowability. It is not necessary for applicant to provide a separate did not result in resolution of all issues. A brief summa | ne examiner will provide a written record of the substance of the | en summary of the interview, since | ne substance |
| | | | |
| | | | |
| /Arthur O Hall/ Examiner, Art Unit 3714 | Applicant/Applicant's Representat | ive Signature – if a | appropriate) |

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner explained to applicants that the claims were replete with intended use statements that did not allow for patentable weight to be given to the function associated therewith. Examienr also described that claims 1 and 31 recited features not recited in claim 23 that potentially rendered the claims distinct, and that applicants would need to recited amendments to recite properly or remove recitation of the inventoried bag and hidden virtual objects of claim 23 in order to make the substantive features of claims 1, 23, and 31 non-distinct. Applicants will consider said amendments and contact the Examiner if further discussion is required.